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TRACEY CORDES, CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ALLEN COLE,

Defendant.

No.

Hon.

1:11-cr-104

Robert Holmes Bell
U.S. District Judge

INDICTMENT

The Grand Jury charges:

COUNT 1

(Embezzlement of Labor Organization Assets)

From in or about November 2007 to in or about October 2009, both dates being approximate and inclusive, in Mason County, in the Southern Division of the Western District of Michigan,

ROBERT ALLEN COLE,

being an officer of the Utility Workers Union of America AFL-CIO Local 124, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to his own use the moneys, funds, securities, property, and other assets of said labor organization in the approximate amount of \$11,605.59.

29 U.S.C. § 501(c)

COUNT 2

(Falsification of Annual Financial Report Filed By Labor Organization)

1. At all times material to this Indictment, the Utility Workers Union of America AFL-CIO Local 124 was a labor organization in an industry affecting commerce within the meaning of Title 29, United States Code, Sections 402(i) and 402(j).

2. That, on or about April 15, 2009, in Mason County, in the Southern Division of the Western District of Michigan,

ROBERT ALLEN COLE

did make a false statement and representation of a material fact, knowing it to be false, in a report and document required to be filed with the Secretary of Labor by the Utility Workers Union of America AFL-CIO Local 124 pursuant to Section 431 of Title 29, United States Code, that is, the amount of disbursements to himself in the annual financial report Form LM-3 for the fiscal year ending December 21, 2008.

29 U.S.C. § 439(b)

COUNT 3

(Falsification of Financial Records Required to Be Kept by Labor Organization)

1. At all times material to this Indictment, the Utility Workers Union of America AFL-CIO Local 124 was a labor organization in an industry affecting commerce within the meaning of Title 29, United States Code, Sections 402(i) and 402(j).

2. From in or about November 2007 to in or about October 2009, both dates being approximate and inclusive, in Mason County, in the Southern Division of the Western District of Michigan,

ROBERT ALLEN COLE

did willfully make and cause to be made false entries in records required to be kept by Section 436 of Title 29, United States Code, that is, the nature of disbursements to himself in receipts and disbursements journals, which are records on matters required to be reported in the annual financial report of Utility Workers Union of America AFL-CIO Local 124, which was required to be filed with the Secretary of Labor.

29 U.S.C. § 439(c)

A TRUE BILL


GRAND JURY FOREPERSON

DONALD A. DAVIS
United States Attorney


CHRISTOPHER O'CONNOR
Assistant United States Attorney